

**IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS**

IN RE THE MATTER OF PROCEDURES)	
IN THE JUVENILE DIVISION, ABUSE,)	
NEGLECT & DEPENDENCY CASES)	
PURSUANT TO THE RESUMPTION OF)	<u>Juvenile Division</u>
COURT OPERATIONS POST-COVID-19)	<u>Standing Order 2020-05</u>
PROTOCOLS.)	

**RESUMPTION OF COURT POST-COVID-19 JUVENILE DIVISION
ABUSE, NEGLECT & DEPENDENCY CASE PROTOCOLS**

As of June 1, 2020, and the Court able to hear more than emergency and essential matters, pursuant to the Illinois Supreme Court's Order of May 20, 2020 (In re Illinois Courts Response to COVID-19 Emergency, M.R. 30370, May 20, 2020) and the 22nd Judicial Circuit's Administrative Order of May 21, 2020, (2020-11, May 21, 2020), the Juvenile Division, when hearing the abuse, neglect and dependency call, will resume operations in a way that (1) limits the number of people in a courtroom and in that wing of the courthouse at any one time, (2) allows for efficient court appearances and avoids unnecessary court appearances, (3) limits the amount of "in-person" counter filings of documents and their unnecessary duplication and circulation; and (4) takes advantage of processes that allow cases to progress through agreed orders.

IT IS HEREBY ORDERED THAT the following protocols shall be put into place:

- 1. Thursday and Friday Court Days.** Juvenile abuse, neglect and dependency cases will continue to be heard on Thursdays and Fridays, unless specifically scheduled by the

Court. Juvenile Shelter-Care Hearings will continue to be scheduled as needed, pursuant to the statutory time-lines. Pre-adjudicatory matters will generally be heard between 8:45 a.m. and 9:30 a.m. Post-adjudicatory matters will generally be heard between 9:30 a.m. and 12:00 p.m. Pre-adjudicatory hearings, and trials on abuse, neglect and dependency petitions and petitions for termination of parental rights will generally be heard between 1:30 p.m. and 4:30 p.m.

2. Case Load Limitations. The court call shall be limited to a maximum of twenty (20) cases, involving a maximum of ten (10) families on any given morning and hearings on motions, and trials on abuse, neglect and dependency petitions and petitions for termination of parental rights involving one (1) family on any given afternoon, unless specially scheduled by the Court. Individuals appearing on any given case shall be limited to respondent-parents/guardians, attorneys of record, the GAL, one agency case-worker or their supervisor, the CASA supervisor, and one (1) foster-parent (exclusive of courtroom personnel).

Courtroom 101's immediate waiting room shall be limited to a capacity of ten (10) individuals at any given time. Respondent-parents/guardians are encouraged to wait in the parking lot and only enter the Judicial Center fifteen (15) minutes prior to their designated appearance time, or after being contacted by their attorney indicating their case is about to be called. Cases will be called in the order in which they appear on the court call and at their designated time. If the case is called and a necessary participants is not present, the case will be re-called only after the court has proceeded through the remaining matters scheduled at the same time. If the matter is re-called at the end of its scheduled time and a necessary participant is not present, the case will be re-called at the end of the court call.

3. Implementation of a 9:30 AM Status Call on the First (1st) and Third (3rd) Monday of each Month (Limit 3 cases per day). The court call will begin at 9:30 a.m. hearing

juvenile abuse, neglect and dependency petitions involving “intact” families in which the respondent-parents/guardians have been served with notice and ordered to appear in Courtroom 101 on cases filed by the State’s Attorney’s Office subsequent to June 1, 2020 and scheduled for first appearance and admonishment of rights.

4. Implementation of an 8:45 AM Status Call. Cases that are pre-adjudication and scheduled for status or setting of trial will be handled between 8:45 a.m. and 9:30 a.m. Pre-adjudication matters set for status currently scheduled for 9:00 a.m. will proceed as scheduled. The court will expect that all such matters are handled quickly and efficiently. Although respondent-parents/guardians have a right to be present, the respondent-parents/guardians’ attorneys are encouraged to waive their presence when there will be no dispositive matters resolved. The Court will in no way draw a negative inference from their absence.

5. 9:30 AM Call. Post-adjudicatory matters set for disposition, permanency review, permanency hearing, presentment of motions and transfer cases will be heard between 9:30 a.m. and 11:00 a.m.

6. 11:00 AM Hearing Call. Hearings on motions requesting modified visitation, restoration of custody and/or guardianship and cases requiring additional attention will be heard between 11:00 a.m. and 12:00 p.m. If a hearing on these matters was previously-scheduled for 10:00 a.m., it will be moved to 11:00 a.m.

7. 1:30 PM Call. Trials on abuse, neglect and dependency petitions and petitions for termination of parental rights and other matters specifically scheduled by the Court requiring additional attention will be heard between 1:30 p.m. and 4:30 p.m. All previously scheduled hearings on motions, trials on abuse, neglect and dependency petitions and petitions for termination of parental rights previously scheduled prior to the implementation of the

“Continuity of Operations COVID-19 Pandemic Protocols” and currently set for status at 9:00 a.m., will be rescheduled to a future date, beginning at 1:30 p.m.

8. Schedule Going Forward. Given the above, the abuse, neglect and dependency court calls on Mondays, Thursdays and Fridays in the Juvenile Division will follow this schedule going forward:

TIME	ACTIVITY
8:45 a.m.	Pre-adjudication cases scheduled for status, status of parent-child visitation, return on subpoena, paternity, motions and scheduling hearing or setting of trial.
9:30 a.m.	Subsequent to June 1, 2020, petitions for adjudication of ward-ship filed and served on “intact” families, returnable and scheduled for first appearance and admonishment of rights, will be scheduled on the 1st and 3rd Monday of the month. On Thursdays and Fridays the Court will hear post-adjudicatory matters set for disposition, permanency review, permanency hearing, presentment of motions, and status of cases requesting transfer to McHenry County and status of cases pending transfer to other jurisdictions.
11:00 a.m.	Hearings on motions requesting modification of visitation, restoration of custody and/or guardianship and cases requiring additional attention.
1:30 p.m.	Hearings on Motions, adjudicatory hearings/trials and dispositions/sentencings or any other matter specially scheduled by the Court.

9. Guardians’ ad litem. The requirement that the GAL conduct personal, in-person interviews and on-going in person contact with the minor(s), and foster parents or other care givers pursuant to 705 ILCS 405/2-17(8), is hereby suspended until further order of Court. The GAL is permitted to have telephonic and/or electronic contact, such as “Facetime” “Zoom” or “Skype”, as the circumstances may dictate, with the minor(s), and foster parents or other care givers in conformity with Sec. 2-17 (8), until further order of Court.

10. Filing of Reports. DCFS/POS and CASA shall electronically file all reports with the McHenry County Circuit Clerk's Office, pursuant to: the Illinois Supreme Court's Order M.R. 18368, dated January 1, 2013; Illinois Supreme Court Rules 15 and 138; and the 22nd Judicial Circuit's Local Rule 21, utilizing the "eFileIL platform" at <https://il.i2file.net>. DCFS/POS shall electronically file, "pre-adjudication reports" and "post-adjudication review reports" seven (7) days in advance of the scheduled court date, electronically file the Ten (10) day "visitation plan", no more than ten (10) days after the date of the Shelter-care Hearing" and electronically file: "integrated assessments"; service plans"; "dispositional reports"; and "permanency hearing reports" fourteen (14) days in advance of the scheduled court date. CASA shall electronically file all "advocate reports" seven (7) days in advance of the scheduled court date. If you have questions about how to properly prepare your documents for e-Filing, please email your questions to efilehelpdesk@mchenrycountyil.gov.

11. In-Person Parent-Child Visitation. In all pending matters where "in-person" supervised parent-child visitation, whether supervised by an "Agency Provider" or supervised by immediate family, extended family or fictive-kin or unsupervised parent-child visitation has been Court Ordered, which is scheduled through DCFS/POS shall begin or resume and continue uninterrupted pursuant to the 22nd Judicial Circuit's Juvenile Division "Memorandum and Standing Order 2020-02" dated April 20, 2020, "DCFS Action Transmittal 2020.02" dated March 25, 2020 and its "Supplemental Memo" dated May 18, 2020.

12. Trial Conferences. The Court will schedule trial conferences at their convenience and at the convenience of the State's Attorney, attorneys of record, and the GAL. These individuals are strongly encouraged to participate via electronic means. Assuming

electronic appearances at trial conferences can be conducted prior to the 8:45 call, during the afternoon, or as specifically scheduled by the Court.

13. Maintain Scheduling Limits. In light of the creation of a 9:30 a.m. call on the first (1st) and third (3rd) Monday of each month, and an 8:45 a.m. call on Thursday and Fridays, the Court will be mindful of promptly recessing no later than 12:00 p.m. in order to provide a sufficient break for courtroom staff. Additionally, the Court will work to ensure that cases are called and completed within the expected timeframe.

14. Courtroom Arrangements. In the courtroom, counsel table and/or floor markings will be used to keep the minor-respondents, respondent parents/guardians attorneys appropriately distanced from one another in an effort to maintain social distancing requirements.

As necessary, attorneys, party-respondents and anyone appearing in the courtroom shall use P.P.E.'s and maintain social distancing, including sitting at least 6 feet apart in the gallery. Likewise, while in the Judicial Center, attorneys, litigants, and anyone else shall enter and exit courtrooms in a timely manner, avoid unnecessary appearances, and maintain social distancing while in the hallways and conference rooms. No one that is sick or experiencing any symptoms of illness should enter the building.

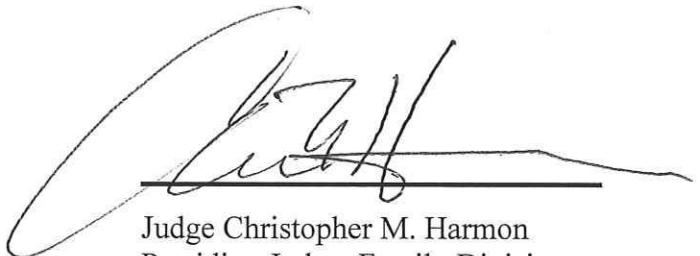
15. Additional Protocols. In conjunction with the above protocols, the Court respectfully requests the cooperation of the attorneys, respondent-parties, case workers, CASA Supervisors, witnesses, other necessary parties/individuals and any other individual required to appear in court with the following:

- A. Submit proposed agreed orders via proposedorders@22ndcircuit.illinoiscourts.gov to the responsible judge's attention, for routine pre-adjudication matters, (other than requesting hearings on motions, other related matters and/or adjudicatory

hearings/trials) such as returns on subpoenas and continuing negotiations and for routine post-adjudicatory matters, such as permanency reviews where parties agree that reasonable efforts and substantial progress are being made by all necessary parties toward the 'permanency goal' set by the Court and there are no other contested issues pending or requests for continuances based upon inpatient treatment, transportation issues or illness.

- B. Negotiations should be done outside of the Judicial Center, prior to court, to the greatest extent possible.
- C. Pre-hearing or pre-trial preparation with clients, case workers, CASA Supervisors, witnesses, other necessary parties/individuals and any other individual required to appear in court, should be done prior to court, outside the Judicial Center, to the greatest extent possible.
- D. Minor-respondents, respondent-parents/guardians, witnesses and any other necessary party or other individual whose appearance is required by the Court, should not come to the Judicial Center more than 30 minutes prior to their scheduled court time, and only enter the Judicial Center, no more than fifteen (15) minutes prior to their scheduled court time, unless exceptional circumstances exist.

Dated: May 27, 2020

A handwritten signature in black ink, appearing to read 'C. Harmon', is written over a horizontal line.

Judge Christopher M. Harmon
Presiding Judge, Family Division,
Assigned to Juvenile Court